

Remarks

Applicants request reconsideration of the claims of this application after entry of the above amendments in view of the following remarks.

Response to Rejection Under 35 U.S.C. § 102(b)

Claims 1, 6-8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Wilson et al. (U.S. Statutory Invention Reg. No. H1834). Claim 1 has been amended to further specify a track having a first wall and a second wall that define an interior cavity wherein the first wall has a slot. Claim 1 has also been amended to specify a cam having a neck that receives the slot of the track with the cam being received in the interior cavity of the track. In contrast, the Wilson sun visor assembly discloses a slide track that does not have a slot in one wall in which the cam is received with the neck of the cam receiving the slot of the track. Claim 6 depends from claim 1 and is submitted to be not anticipated by the Wilson et al. reference for the same reasons that claim 1 is not anticipated.

Claim 7 has been amended to place it in independent form and specifies that an integral track is formed in part by an enclosure that is secured to a back side of the interior panel wherein the interior panel defines a slot. Claim 7, as amended, further specifies that cam has a neck that receives the slot of the interior panel with the cam being received in the enclosure in a range of positions. In addition, claim 7 specifies that the enclosure is secured to the back surface of the interior panel.

The Wilson et al. reference discloses a sun visor support structure that is mounted to the body sheet metal above the side door window. The Wilson et al. reference is a surface mounted sun visor assembly and does not disclose a mounting structure wherein the cam is provided with a neck that receives the slot of the interior panel. The Wilson reference does not disclose a device that is secured to a back side of the interior panel with the interior panel defining a slot on which the cam neck is received.

The Examiner's rejection of claim 7 is in error in that the track 12 shown in Figure 3 of the Wilson et al. reference is not secured to the back surface of an interior panel. The amendments to claim 7 are intended to clarify that the back surface of the interior structure

referred to is the back surface of the interior panel. Claim 7 is particularly relevant to the embodiment of the invention of Figures 7 and 8 wherein the track is located substantially out of sight behind an interior panel that defines a slot.

Claim 8 is also rejected as being anticipated by Wilson et al. The Examiner refers to column 3, lines 49-55 of the Wilson et al. reference and Figures 1-4 in support of the rejection. However, the portion of the specification referred to reads as follows:

The slide track 12 includes a front end 14 which is to be positioned closely adjacent to the A pillar of the vehicle above the side door window. The rear end of the slide track is positioned above the side window rearward in the vehicle from the front end 14 such that the slide track 12 extends lengthwise above the side door window.

(Col. 3, ll. 49-55)

The Examiner extrapolates from the above to conclude that the Wilson et al. patent discloses an enclosure secured to the back surface of the wall of the interior structure. However, the Wilson et al. reference actually suggests that "the sun visor assembly 10 includes a slide track 12 attachable to the body sheet metal above the side door window."

Claim 10 is also rejected as being anticipated by Wilson et al. Applicants' arguments with regard to the amendments to claim 1 are applicable to claim 10 because claim 10 depends from claim 1.

Response to Rejection Under 35 U.S.C. § 103

Claims 2-4 and 9, 11-18 stand rejected under 35 U.S.C. § 103 based upon the Wilson et al. patent in view of various combinations of other references, including Padiak et al., Lee, Whitehead, Wagner et al., Watkins, Liang, Prue, Saito H. et al., and Kifer.

Applicants object to the Examiner's reliance upon non-analogous art that the Examiner proposes be combined with the Wilson et al. sun visor patent. While it is acknowledged that the Wilson et al. reference is related to an automobile interior part, by-in-large the secondary references relied upon by the Examiner are unrelated as pointed out below. The Padiak et al. reference relates to a pivoted cam locking sign mount for locking a sign in position on a post. The Lee patent discloses a tie-down track for securing cargo to the floor

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of a vehicle. The Whitehead patent discloses an adjustable box spring retainer for a bed frame. The Whitehead patent discloses a mobile telephone holster for hanging a cell phone on a user's belt. The Wagner patent discloses a utility rack for organizing cargo in the cargo area of a work vehicle. The Watkins patent discloses a mounting bracket for mounting a camera to the headrest supports for a car seat. The Prue patent discloses an animal tail control device for maintaining the tail of a cow to avoid contact with the animal's droppings. The Saito patent discloses a cellular phone mount for securing a cellular phone to a vehicle. As to each of the above references, Applicants respectfully submit that there is no teaching or suggestion to combine the references as proposed by the Examiner. Moreover, Applicants' claims, as amended, define over the primary Wilson reference. The failure of the Wilson reference to teach Applicants' invention is not overcome by the proposed combination of references.

With respect to claims 2, 4 and 11-18, Applicants rely primarily upon the arguments advanced with respect to claim 1 as to why the Wilson et al. reference fails to disclose or suggest Applicants' claimed invention. None of the secondary references offer additional disclosure or teaching that, when combined with Wilson et al., would result in the invention claimed in the respective dependent claims.

As a result, none of these claims are believed to be rendered obvious by the Examiner's various combination of references.

Applicants offer additional argument with respect to claim 3 that stands rejected as being unpatentable over Wilson et al. in view of Padiak et al., and further in view of Lee. Claim 3 has been amended to specify that the two spaced bars each have an undulating edge formed by a series of smoothly curved surfaces wherein the bars are located in an opposing relationship. In contrast, the Lee reference discloses a tie-down track that includes opposed undulating edges made up of flats and semi-circular cut-outs. The Lee patent fails to disclose the smoothly curved surfaces of amended claim 3.

Applicants note with appreciation the Examiner's indication that claim 5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 has been amended to place it in independent form, including all of the limitations of base claim 1 and claim 5 that was previously dependent from claim 1.

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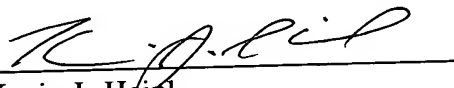
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No additional fee is believed to be required for the submission of the amended claims. A check in the amount of \$120.00 is enclosed to cover the Petition fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Applicants have attempted to place this case in condition for allowance. The Examiner is requested to telephone Applicants' undersigned attorney if it would advance the prosecution of the case. The Examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

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Date: August 11, 2006

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